



## EXECUTIVE DEPARTMENT

### EXECUTIVE ORDER NO. BJ 2009 - 7

#### *SOLID WASTE DISPOSAL FACILITY REQUIREMENTS AND ECONOMIC DEVELOPMENT*

- WHEREAS,** the Louisiana Department of Environmental Quality is constitutionally and statutorily charged with protection of the environment of Louisiana;
- WHEREAS,** pursuant to Louisiana Revised Statute Title 30, Section 2002, the Louisiana Department of Environmental Quality is mandated to ensure this protection and, specifically, to strictly enforce programs for the safe and sanitary disposal of solid waste;
- WHEREAS,** local governments are chiefly responsible for parish land use determinations and zoning ordinances in order to effectively maximize its resources and navigate its future development both in economic terms and management of the quality of life of its citizens;
- WHEREAS,** currently under the Louisiana Administrative Code, Title 33, Part VII, the Louisiana Department of Environmental Quality, within its solid waste disposal permitting process, is unable to consider changes in local land use restrictions and zoning ordinances by local governments and their economic development requirements after an application has been submitted to the department; and
- WHEREAS,** it is important that the Department of Environmental Quality have the authority to consider permittee compliance with local zoning and land use restrictions prior to issuance of an order to commence operations of a waste disposal facility;
- NOW THEREFORE, I, BOBBY JINDAL,** Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:
- SECTION 1:** Prior to the Louisiana Department of Environmental Quality issuing an order to commence operations, any solid waste disposal facility permittee, except for any transfer station, shall provide the department with a written resolution or authorization from the appropriate municipal or parish governing authority where the facility will be located, dated within one hundred eighty (180) days prior to such order and stating that the facility is in compliance with all existing local zoning and land use restrictions.
- SECTION 2:** The Louisiana Department of Environmental Quality shall immediately take all necessary steps to initiate through its rule-making authority all measures to incorporate the requirements of Section 1, above, into its solid waste regulations under Title 33 of the Louisiana Administrative Code;
- SECTION 3:** The Louisiana Department of Environmental Quality shall immediately take all necessary steps to implement the requirements of Section 1, above, into all solid waste disposal permits which have not yet received an order to commence from the department;
- SECTION 4:** This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.



**IN WITNESS WHEREOF,** I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 9<sup>th</sup> day of June, 2009.

/S/ Bobby Jindal  
**GOVERNOR OF LOUISIANA**

**ATTEST BY  
THE GOVERNOR**

/S/ Jay Dardenne  
**SECRETARY OF STATE**